

REMARKS

With the cancellation of claims 33-48, 51, and 59, claims 49, 50, 52-58, and 60-67 are now pending in the above-referenced application.

The Examiner objected to the drawings for including a reference character, B, that is alleged to have been omitted from the description. Applicants respectfully disagree. The letter B is the internationally recognized symbol used for magnetic field strength; besides, page 4, line 7, of the specification, includes a reference to this symbol. Accordingly, Applicants submit that no need exists to amend the drawings or specification.

Claims 49-51, 53, 54, 56, 59, and 65 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,247,425 to Lymberopoulos et al. (“Lymberopoulos”). Claims 52, 55, and 57 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lymberopoulos in view of what the Examiner believes is Applicants’ admitted prior art. Claims 58, 60-64, 66, and 67 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lymberopoulos. Applicants have amended claim 49 to recite the subject matter of now-canceled claims 51 and 59.

With respect to this subject matter added to claim 49, we believe that the ‘425 patent neither anticipates nor even suggests it. According to the Office Action, the added subject matter from claim 59 is found in column 8, lines 49-61, of the ‘425 patent. The pulsing, which is described there and shown in Figure 9, however, refers to a pulsing of a magnetic field (“The pulse width 260 and duty cycle 270 **of the magnetic field** 200, as shown in Figure 9, ...”, column 8, lines 50-51). However, by high-frequency power is to be understood the high-frequency power of a voltage source, especially a substrate voltage generator (“**Substrate voltage generator 12** also couples in a high frequency alternating voltage or **high frequency power** into substrate electrode...”, English specification of the Application, page 9, lines 6-8). The pulsing and varying of the high-frequency power should be differentiated from a pulsing of a magnetic field. It is also not made obvious in the ‘425 patent that one may generate a pulsed high-frequency power in a method using a magnetic field. Rather, it is emphasized that problems are avoided by a non-pulsed high-frequency power (“...unlike pulsing the source power...”, column 9, line 40). Therefore, for these reasons, withdrawal of the above-referenced rejection is requested.

Applicant asserts that the subject matter of the present application is new, non-obvious, and useful. Prompt consideration and allowance of the application are respectfully requested.

Respectfully submitted,

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